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MAILED

MAY 24 2010

In re Application of	:	OFFICE OF PETITIONS
Acres, et al.	:	
Application No. 09/827,870	:	ON APPLICATION FOR
Filed: April 6, 2001	:	PATENT TERM ADJUSTMENT
Docket No. IGT1P289D1C1C1/	:	
AC00001032	:	

This is in response to the COMMUNICATION RE PATENT TERM ADJUSTMENT," filed January 21, 2010. Applicants submit that the patent term adjustment to be indicated on the patent is not three thousand one hundred thirty-four (3134) days as calculated by the Office as of the mailing of the initial determination of patent term adjustment.

Applicants do not specify an alternate calculation of the patent term adjustment. However, applicants request a correction on the basis that the Office will take in excess of three years to issue this patent. In addition, applicants disclose that the application is subject to two terminal disclaimers over four different patents and that the patent term adjustment seems to have erroneously double-counted 1503 days of Office delay ending in the Notice of Allowance mailed on July 11, 2008. The instant communication will be treated as a petition under 37 CFR §1.705(b).

The request for reconsideration of patent term adjustment is **DISMISSED** because the petition was not accompanied by the \$200.00 fee set forth in 37 CFR 1.18(e). A review of the application file reveals that the Director of the USPTO has not been authorized to charge any additional fees required under 37 CFR 1.18. When the instant petition was filed, the Director of the USPTO was authorized to charge any additional fees required under 37 CFR 1.21. The merits of the petition will not be addressed until the \$200.00 fee set forth in 37 CFR 1.18(e) is submitted.

Applicants are given THIRTY (30) DAYS or ONE (1) MONTH, whichever is longer, from the mail date of this decision to respond to this decision. No extensions of time will be granted under 37 CFR 1.136.

Telephone inquiries specific to this decision should be directed to the undersigned at (571) 272-3230.

Shirene Willis Brantley

Shirene Willis Brantley
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